



General Assembly

January Session, 2011

***Raised Bill No. 6424***

LCO No. 3490

\*03490\_\_\_\_\_JUD\*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

***AN ACT CONCERNING MEDICAL EXAMINATIONS IN PERSONAL INJURY ACTIONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 52-178a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2011, and*  
3 *applicable to requests for examinations filed on or after said date*):

4 In any action to recover damages for personal injuries, [the court or  
5 judge may order the plaintiff to submit to a physical examination by  
6 one or more physicians or surgeons. No party may be compelled to  
7 undergo a physical examination by any physician to whom he objects  
8 in writing submitted to the court or judge] any party adverse to the  
9 plaintiff may request that the plaintiff submit to a physical or mental  
10 examination by one or more health care providers. The request shall be  
11 filed with the court and shall specify the time, place, manner,  
12 conditions and scope of the examination and the persons by whom the  
13 examination is to be made. The plaintiff shall comply with such  
14 request unless, not later than ten days after the filing of the request, the  
15 plaintiff files in writing with the court an objection to the request  
16 specifying the portions of the request that are the subject of the

- 17 objection and the reasons for such objection. The court shall order the  
18 plaintiff to submit to such examination except upon a showing of good  
19 cause by the plaintiff that such examination should not be ordered.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011, and applicable to requests for examinations filed on or after said date</i>	52-178a

***Statement of Purpose:***

To require a plaintiff to comply with a request for an independent medical examination in a personal injury action, except upon a showing of good cause by the plaintiff.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*